

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS WILLIAM LOWE,

Defendant.

NO. CR20-214-RSM

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for a Final Order of Forfeiture for the following property (collectively, the "Subject Property"):

1. An LG Stylo 5 smartphone in a red and black case, IMEI 355565100296865, seized from the Defendant on or about October 1, 2020, in Kirkland, Washington ("Subject Property 1"); and
2. A custom-built desktop computer with a Western Digital, 3 TB internal hard drive, serial number WCAWZ0822551, seized from the Defendant's residence on or about October 13, 2020 in Kirkland, Washington ("Subject Property 2").

The Court, having reviewed the United States' motion, as well as the other pleadings and papers filed in this matter, HEREBY FINDS that a Final Order of Forfeiture is appropriate for the following reasons:

1. In the Plea Agreement that Defendant entered on January 10, 2023, he agreed to forfeit his interest in the Subject Property, pursuant to 18 U.S.C. § 2428 and 18 U.S.C. § 2253(a), as property used to commit, promote, or facilitate his commission of Attempted Enticement of a Minor, in violation of 18 U.S.C. § 2422(b), and Possession of Child Pornography, in violation of 18 U.S.C. § 2252(a)(4)(B), (b)(2), to which he entered guilty pleas (Dkt. No. 32, ¶ 12);
2. On February 3, 2023, the Court entered a Preliminary Order of Forfeiture, finding the Subject Property forfeitable pursuant to 18 U.S.C. § 2428 and 18 U.S.C. § 2253(a) and forfeiting the Defendant's interest in it (Dkt. No. 37);
3. Thereafter, the United States published notice of the pending forfeiture as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure ("Fed. R. Crim. P.") 32.2(b)(6)(C) (Dkt. No. 38), and also provided direct notice to one potential claimant as required by Fed. R. Crim. P. 32.2(b)(6)(A) (Declaration of Assistant U.S. Attorney Krista K. Bush in Support of Motion for a Final Order of Forfeiture, ¶ 2, Exhibit A); and,
4. The time for filing third-party petitions has expired and none were filed.

NOW, THEREFORE, THE COURT ORDERS:

1. No right, title, or interest in the Subject Property exists in any party other than the United States;
2. The property is fully and finally condemned and forfeited, in its entirety, to the United States; and

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IT IS SO ORDERED.

IT IS SO ORDERED.

DATED this 18th day of August, 2023.

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RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

s/Krista K. Bush

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